

# Opinion

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## Return Bill Broomfield to Congress

**U**NBENDING PARTY loyalty is one of his shortcomings. A 30-year incumbent congressman certainly shouldn't lose his pipeline to the White House if he showed more independent thinking. He might even embellish his already respected standing.

But come Election Day Tuesday, Nov. 4, U.S. Rep. William Broomfield, R-Birmingham, deserves re-election in the 18th Congressional District. The 18th touches parts of Macomb, Oakland

and Livingston counties.

His opponent, Democrat Gary Kohut, a Troy attorney, is waging a determined battle in a district 70 percent Republican. A self-described moderate to conservative Democrat — "no taxer and spender" — Kohut offers a fresh voice, a knowledgeable perspective and leadership capabilities.

Even though Kohut lacks a measurable political track record, he has the raw skills to someday make a worthy representative.

BECAUSE HE works most effectively behind the scenes, it's hard to pinpoint any original idea that Broomfield has pushed to fruition. His leadership on domestic issues is sporadic.

But as the ranking Republican on the House Committee on Foreign Affairs, Broomfield often heads up GOP House floor debate on such pivotal issues as sanctions against South Africa and aid to Nicaragua's contra rebels.

Part of President Reagan's inner cir-

cle, he's among the first to learn about sensitive foreign policy decisions.

Despite his popularity at the polls, Broomfield would broaden his base of support if he wasn't such a GOP traditionalist.

Consider his unflinching support of the president's veto of a bill to impose economic sanctions against South Africa, even though he had voted for the bill three weeks earlier.

Broomfield said he changed his mind when Reagan detailed his reasoning.

But history seems to say Broomfield shies from publicly opposing major foreign policy decisions by the president.

To his credit, however, Broomfield is nobody's puppet on human rights — witness his key role in helping spring Sterling Heights resident Pjeter Reza, a naturalized U.S. citizen, from a Yugoslav prison last week.

Re-elect Bill Broomfield. But hold him accountable to listen and talk to people throughout his district.

— Observer & Eccentric Newspapers

## What's the best bet for judicial picks?

### Appointing

**I**NHERENT IN a sound judicial system is a judiciary composed of qualified judges, independent of political pressure.

The League of Women Voters of Michigan believes a method of judicial selection combining original appointment to the bench and subsequent election frees qualified judges from outside pressure, helping them to maintain their essential independence.

Under such a method all vacancies on the bench would be filled by appointment. After serving a term on the bench, the incumbent judge, if wishing to continue, would face the voters. At the next general election, a non-partisan ballot would carry the question: "Shall Judge (blank) of the (blank) Court be retained in office?" There would be no other candidates for the same office on the ballot. Voters would decide "yes" or "no" on the judge's record.

The present method of popular election of judges contains many obstructions to obtaining an independent, effective judiciary.

In all but exceptional circumstances, voters are virtually helpless in making intelligent selection among judicial candidates, having no personal knowledge of them or any adequate way of evaluating their qualifications. On election day, the judicial ballot is always the most neglected.

**CANDIDATES WITH** a catchy name, a large campaign fund or an appealing profile often win popular elections over candidates with possibly more ability and personal integrity.

Waging a political campaign consumes much of an incumbent judge's time, which is a waste the court can ill afford.

Judges can later be subject to the influences of people who make time or money contributions to their political campaigns, and particularly to the political organization responsible for helping them win the election.

Judges are subject to great and continuous political pressures. Judges become responsible to constituents, when they should be responsible only to the law.

Under a system of appointment with subsequent election, the establishment of an independent, efficient judiciary is better assured.

The judicial, as contrasted with the legislative and executive branches of government, has no political purpose or political function to serve. Courts are responsible for upholding the law as it is written.

Political factors such as the will of the majority and the wishes and influence of the minority should and do operate on the legislative and executive branches of government. Such political factors have no place in a court of law, and the appointment method avoids these factors.

**JUDGES WOULD** come from the ranks of the most able and most talented people — from people chosen on the basis of personal integrity, impartiality, judicial temperament, ability, legal training and physical and mental vigor for the arduous work of the position — not on the basis of popularity or ability to win an election.

After selection, judges would be assured freedom from political influences and threat, and would be provided with reasonable security of tenure so long as they performed properly.

Judges would be free from having to conduct campaigns or engage in time-consuming activities for their retention, and would be left free to devote their full time to doing the work of a judge.

Opportunity for appointment to the bench would be greater for qualified people who lack the necessary money to finance a campaign.

An incumbent judge who wishes to remain in office would be subject to approval by the electorate on the basis of record, rather than having to compete against other candidates.

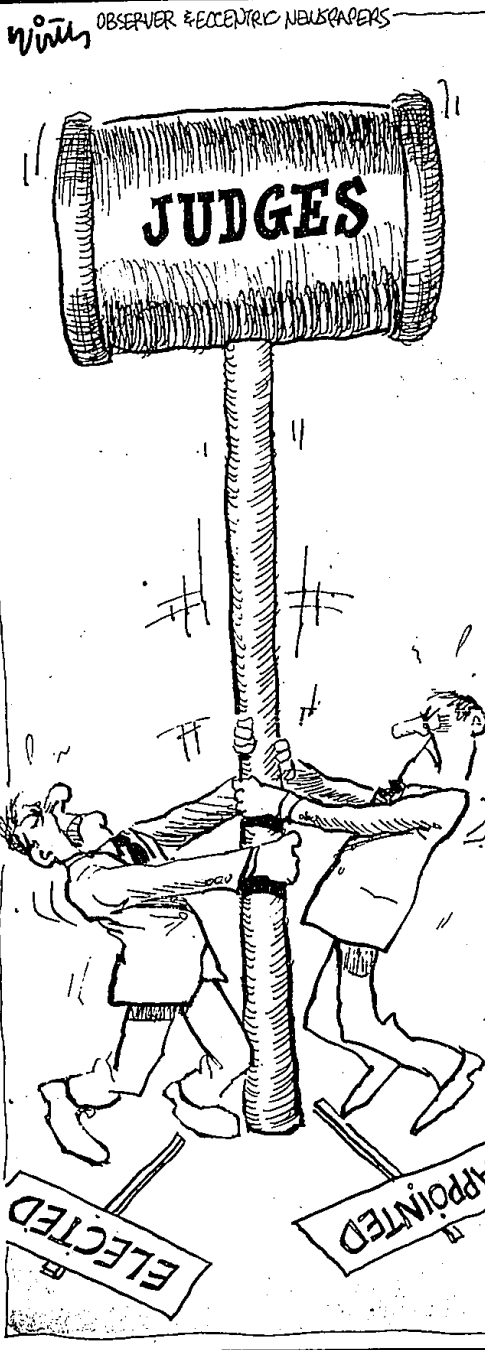
The intent of the founding fathers of this country could be better fulfilled. They did not provide for judges to be obtained at the polls by a partisan ballot.

It was not until 1846 that any state elected judges by political party ballot. The federal judiciary has always been obtained by appointment by the president with the consent of the Senate.

— Nancy J. White, president  
The League of Women Voters of Michigan

### Guest Commentary

### Electing



**T**O ELECT or to appoint, that is the question. While no one seems to argue strongly for a process other than election in the executive and legislative branches of government, many believe that judges should be appointed or selected in a manner other than by election.

The argument is made that the public does not really know or cannot learn enough about judicial candidates to intelligently select one judicial hopeful over another. The end result is often seen as a name game where votes are cast based on name recognition rather than the qualifications of the candidates.

As a recently elected district judge, I disagree with those who say judges cannot be prudently or knowingly selected by public vote. Moreover, the experience of running for election has an everlasting and invaluable impact on that elected judge.

Those who oppose the election of judges argue that the electorate is unwilling or unable to educate itself about judicial candidates.

**BUT, GIVEN** the importance of judicial actions in our everyday lives, I believe this problem can be corrected. Rather than taking away the people's voice in selecting their judges, let us use all the avenues the media provides us and print all the information the people need to make informed decisions.

Supporters of judicial appointment would have judges selected by a special panel whose job would be to evaluate qualified candidates and appoint those scoring highest on the evaluation.

I suggest these same panels convene for the purpose of providing the public with the necessary information upon which to make their own decision at election time. The Bench, Bar Association and public awareness groups such as Court Watchers should be involved in this process.

There is nothing mysterious about the operation of our courts. Yet people seem fearful or baffled about its workings. Much of this confusion would disappear with greater public education on the function of the courts and, in particular, its judges. Once again, the media provides a perfect forum for this educational process. We have the resources to make this name game the knowledge game.

**THE CAMPAIGN PROCESS** exposes a judicial candidate to the fears and concerns of the people he or she is to serve. For example, campaigning door to door in a neighborhood and waiting while several security locks are unbolted brings home the terror of crime.

**Going through the rigors of an election forces a candidate to think through his positions and tests his or her temperament and patience, both of which are essential ingredients for a judge.**

— Judge Edward Sosnick

Shaking hands with strangers at a shopping center and listening to their problems with courts serves to remind a judge that court proceedings should be conducted on time, in language all can understand and with the knowledge that the court exists for the people.

Going through the rigors of an election forces a candidate to think through his positions and tests his or her temperament and patience, both of which are essential ingredients for a judge. An elected judge never forgets that his authority or position came from the people who elected him.

It has been suggested that a citizen/attorney committee initially screen potential candidates to eliminate unqualified hopefuls (a process not unlike the primary election). That idea deserves further consideration.

However, in the general election, judicial candidates must learn the same lessons regarding their constituents that benefit legislative and executive candidates.

— Judge Edward Sosnick  
48th District Court